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Illicit traffic in small arms

Report of the Secretary-General

Addendum

Annex I

Replies received from Governments

Oman

[Original: English]
[17 May 1999]

The Government of the Sultanate of Oman has taken necessary measures to regulate the ownership of small arms and to prevent the illicit trafficking in and circulation of small arms, as reflected in the following legislation:

(a) Royal Decree No. 36/90 dated 10 March 1990 relating to the Weapons and Ammunition Law;

(b) Royal Decree No. 48/96 dated 8 June 1996 relating to an amendment to the Weapons and Ammunition Law;

(c) Decision No. 22/98 dated 10 March 1998 concerning Guidelines and Regulations of the Weapons and Ammunition Law.

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Appendix I

[Original: Arabic]

Royal Decree No. 36/90 promulgating the Weapons and Ammunition Law *

We, Qaboos Bin Said, Sultan of Oman,

Having perused Royal Decree No. 26/75 promulgating the Law regulating the Administrative Apparatus of the State, and the amendments thereto

And Royal Decree No. 82/77 on the Use and Circulation of explosives,

And as dictated by the public interest,

Have decreed as follows:

Article 1

The provisions of the annexed Arms and Ammunition Law shall enter into force.

Article 2

The Inspector-General of Police and Customs shall issue the implementing regulations for this Law. Until such regulations are issued, the existing regulations and decisions shall remain in force, provided that they do not contradict the provisions of this Law.

Article 3

This Decree shall be published in the Official Gazette and shall enter into force three months after the date of publication.

Qaboos **Bin Said**
Sultan of Oman

Done on 12 Sha'ban A.H. 1410 (10 March A.D. 1990)

* This Decree was published in Official Gazette No. 427, issued on 17 March 1990.

Arms and Ammunition Law

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Arms and Ammunition Law

Introductory Section

Article 1

For the purposes of this Law, the following words and expressions shall have the meanings indicated herebelow, unless otherwise stated or implied by the context:

1. "Arms" means firearms and ammunition, bombs and instruments that are, by their nature, designed to harm people. Also included are tools and instruments which may pose a threat to public safety or be used in war, in particular those listed in the three schedules annexed hereto, as well as any instrument classified as a weapon by the Inspector-General of Police and Customs.

Whenever the term "arms" is used in this Law, it means cold steel, firearms listed in the three schedules annexed hereto, ammunition and main parts, unless otherwise implied by the context.

2. "Firearms" means lethal weapons fitted with a barrel of whatever kind from which a bullet or projectile may be fired, in particular smooth-bore weapons, pistols, rifles, automatic pistols, guns and machine-guns listed in schedules 2 and 3 annexed to this Law, the respective ammunition and the main parts of firearms, unless otherwise implied by the context.

3. "Cold steel" means any tool or instrument which is, by its nature, designed to harm people or may pose a threat to public safety and is listed in schedule 2 annexed hereto, excluding those which form a part of the traditional Omani attire.

4. "Ammunition" means any ammunition made for any firearm. This includes gunpowder, bullets, detonators, primers, caps and any other substance designed to be loaded on or fired from a firearm. Also included is anything containing or producing a harmful gas or liquid, intended for use in firing a weapon.

This shall also apply to grenades and similar bombs, whether or not designed for use through a firearm.

5. "Main parts of firearms". These are the parts of weapons which, although they may not be used individually as a firearm, are key elements that cause a weapon to be considered a firearm, such as the barrel, the bolt, the bolt mechanisms and the metal casing. The main parts do not include the muzzle or the butt of a rifle or a pistol.

Article 2

The provisions of this Law shall not apply to the following:

(a) State arms given to the Sultanate Armed Forces, Omani Royal Police and other security apparatus, in accordance with the provisions of laws and regulations applicable to them;

(b) Members of rifle clubs and organizations which have a licence to use arms for training purposes, within places determined by the Inspector-General of Police and Customs;

(c) Arms licensed for trading or repair, if they are in the possession of the dealer or one of his employees inside his shop;

(d) Devices for shooting flares and the respective ammunition, when they are on board a ship or an aircraft or are at a seaport or an airport, as part of the equipment of the ship, aircraft, seaport or airport;

(e) Fireworks governed by Royal Decree No. 82/77 mentioned above.

Chapter I

Possession of Arms and Ammunition

Article 3

Possession of the firearms listed in schedule 2 and the cold steel list in schedule 1 annexed to this Law, without a licence from the Inspector-General of Police and Customs, shall be prohibited.

Possession of the arms listed in schedule 3 annexed to this Law, silencers, noise-reducing devices, and telescopic sights shall not be permitted or licensed under any circumstances.

The Inspector-General of Police and Customs may, at his discretion, add anything to schedules 1 and 2, or omit anything therefrom. However, only additions shall be permitted to schedule 3.

Article 4

Traditional weapons kept as heirlooms or decorations, inside the house, which are determined as such by a decision of the Inspector-General of Police and Customs, shall be exempted from the provisions of licensing referred to in the first paragraph of article 3. The possession of such arms shall be governed by the following conditions:

(1) Types and specifications of such weapons shall be reported to the police and a certificate shall be obtained;

(2) They shall not be disposed of unless an authorization for such disposal has been obtained.

Article 5

Subject to the provisions of article 3 of this Law, a licence may be issued for the possession of the firearms listed in schedule 2, if there is a strong justification for that, subject to the following conditions:

(1) The applicant must be of Omani nationality;

(2) He must be at least 25 years old;

(3) He must be physically fit enough to carry arms. Conditions of physical fitness and how to prove their fulfilment shall be determined by a decision of the Inspector-General of Police and Customs, in coordination with the Minister of Health;

(4) He must be free from mental or psychological illness, and a certificate to that effect shall be issued by a government doctor;

(5) He must pass an examination, the terms and subjects of which shall be determined by the Inspector-General of Police and Customs, concerning security precautions and how to handle arms;

(6) He must be of good character and conduct;

(7) He must not have served a jail sentence for personal assault, theft or sex-related crimes;

(8) He must not have been convicted of drugs- or explosives-related crimes;

(9) He must not have been convicted of a crime or misdemeanour in which he used or was carrying a weapon;

(10) He must not have been convicted of any of the crimes listed in Part I of Volume II of the Omani Penal Code.

Article 6

Licences are personal. The person to whom a licence is issued may not give arms to a third party before obtaining a permit to do so under the provisions of article 5 of this Law.

The Inspector-General of Police and Customs may decide to issue a licence for the possession of firearms to clubs and organizations whose activities require the use of firearms, provided that these arms and the ammunition are entrusted to a person identified by the club or organization to whom a licence for the possession of these arms shall be issued. The use of such arms shall be determined in accordance with conditions and situations established by a decision of the Inspector-General of Police and Customs.

Article 7

A licence to possess firearms shall be valid for five years from the date of issue. It may be renewed, if an application is filed two months before the expiry date. A licence to possess cold steel shall be permanent.

Article 8

The Inspector-General of Police and Customs may deny a licence, shorten its duration, restrict it to specific types of arms, subject it to any condition he may see fit, suspend it temporarily or revoke it for reasons related to public safety or dictated by the public interest.

In the event of a licence being revoked, the person to whom the weapon had been licensed may transfer it to another person who has a licence to possess or trade in arms, within one month from the date on which he was notified of the decision to revoke this licence, unless the decision to revoke the licence had stated that the weapon should be immediately handed over to the police authority with which the licence is registered.

After handing it over, the owner of the weapon may dispose of it within a year from the date on which he was notified of the decision to revoke the licence. If he does not dispose of it during this period, he shall be deemed to have assigned it to the State. The ownership of such arms shall thereby be transferred to the police of the Sultanate of Oman in return for compensation paid to the owner.

Once a licence is temporarily suspended, the weapon must be immediately handed over to the police authority with which it is registered, until a decision on whether or not to revoke the licence is made.

Article 9

The following shall be exempted from obtaining the licence provided for in the first paragraph of article 3 of this Law:

(a) Deputy Prime Ministers, Ministers and officials holding ministerial rank;

(b) Governors of districts and provinces;

(c) Omani Ambassadors and members of foreign diplomatic and consular missions, provided that there is reciprocal treatment;

(d) The President and Vice-Presidents of the State Consultative Council;

(e) Under-secretaries of ministries and officials of similar rank;

(f) Participants in international rifle competitions, provided that each one submits, within a month from the date he obtained the weapon, a report to the police command, giving the relevant data and description. Anyone who submits such a report shall be issued the respective certificate.

Article 10

Ammunition used in firearms may not be possessed except by those issued with a licence to possess the weapon in question, in accordance with conditions and situations established by a decision of the Inspector-General of Police and Customs.

Article 11

A licence shall be revoked in the following cases:

(a) Loss of the weapon;

(b) Disposal of the weapon in such a way that will transfer its ownership to a third party;

(c) Death of the licensee;

(d) Failure to apply for the renewal of a licence in time;

(e) Loss of the capacity or justification for which the licence was issued;

(f) Loss by the licensee of any of the qualifications provided for in article 5 of this Law.

The licensee, his heirs, or a representative may legally transfer the weapon to a person holding a licence to possess or trade in arms, within 30 days from the date the licence was considered revoked. If this is not possible for any of them, the weapon shall be handed over to the police authority with which the licence is registered. The licensee, his heirs or a legal representative shall have the right to dispose of the weapon within one year from the date the licence was considered revoked.

If no action is taken within this period, he shall be deemed to have assigned the weapon to the State. The ownership of such arms shall be transferred to the Omani Royal Police, in return for compensation to be paid to the owner.

Article 12

No changes may be made to the main parts of a licensed firearm without special permission from the Inspector-General of Police and Customs.

Chapter 2

Trade in, and Repair, Import and Export of Arms and Ammunition

Article 13

The import and export of, or entry into or departure from the Sultanate with, the arms listed in schedules 1 and 2 annexed to this Law, without a licence from the Inspector-General of Police and Customs shall be prohibited.

The licence shall be valid for three months from the date of issue, and it may be renewed for a similar period.

A licence may not be issued, under any circumstances, for the import or export of, or for entry into or departure from the country with, any of the arms listed in schedule 3 annex to this Law.

Article 14

It shall be prohibited to trade in or repair the firearms and ammunition listed in schedule 2, and the cold steel listed in schedule 1 annexed to this Law, without a licence from the Inspector-General of Police and Customs. The licence shall be valid for one year from the date of issue and may be renewed for a similar period, provided that an application for renewal is filed at least two months before the expiry date.

The Inspector-General of Police and Customs may, at his discretion, determine the conditions which must be met by shops that trade in and repair arms, and the quantity of arms and ammunition listed in schedule 2 that a merchant is allowed each year.

Article 15

The following conditions shall be fulfilled by an applicant for a licence to trade in and repair arms and ammunition.

(1) He should be at least 20 years old;

(2) He should be of Omani nationality;

(3) He should be able to read and write;

(4) He should not be subject to disqualification from possessing firearms for any of the reasons listed in article 5 of this Law;

(5) He should deposit with the police a security in the amount of RO 5,000, in case of trading or RO 1,000, in case of repairs;

(6) The shop shall be registered in the Commercial Register according to the provisions of the Commercial Registration Act;

(7) He should pass an examination, the subject-matter and terms of which shall be determined by the Inspector-General of Police and Customs.

Article 16

The Inspector-General of Police and Customs may deny, shorten the duration of or revoke a licence to trade in or repair arms and ammunition for reasons dictated by the public interest or connected with public security.

In the event of a licence being revoked, the police authority in whose jurisdiction the shop is located must close it after taking stock of its contents of arms and ammunition. The concerned party may dispose of the contents in accordance with the provisions of article 8 of this Law.

Article 17

Arms and ammunition may not be transported from one place to another, without a permit from the Inspector-General of Police and Customs. The permit shall indicate the quantity of arms and ammunition allowed to be transported, the place transported from and the destination, sender's name, addressee's name, route, time of transportation and any other particulars the Inspector-General of Police and Customs may consider necessary in the interest of public safety.

Article 18

In the following cases, a licence to trade in or repair arms and ammunition shall be regarded as revoked:

(a) Death of licensee;

(b) Failure to file an application for renewal in due time;

(c) Surrender of the licence;

(d) Revocation of the licence, demolition of the shop or a final decision to close it.

The police authority in whose jurisdiction the shop is located must close the shop after taking stock of its contents of arms and ammunition. Concerned parties may dispose of these arms and ammunition in accordance with article 8 of this Law.

Chapter 3
Penaltics

Article 19

Anyone possessing, without a licence, any of the cold-steel weapons listed in schedule 1 annexed to this Law shall be sentenced to a term of imprisonment not exceeding six months and/or a fine not exceeding RO 300. Traditional weapons referred to in article 4 of this Law shall be exempted.

Article 20

Anyone possessing, without a licence, any of the arms listed in schedule 2 annexed to this Law or the respective main parts or ammunition shall be sentenced to a term of imprisonment not exceeding three years and/or a fine not exceeding RO 1,000. Traditional weapons referred to in article 4 of this Law shall be exempted.

Article 21

Anyone possessing any of the arms listed in schedule 3 annexed hereto, any of the main parts or any ammunition shall be sentenced to a term of imprisonment. Traditional weapons listed in article 4 of this Law shall be exempted.

Article 22

Anyone possessing any of the instruments listed in the second paragraph of article 3 of this Law shall be sentenced to a term of imprisonment not exceeding six months and/or a fine not exceeding RO 500.

Article 23

Anyone trading in, exporting, importing or repairing, without a licence, any of the arms listed in schedule 1 shall be sentenced to a term of imprisonment not exceeding one year and/or a fine not exceeding RO 1,000. The punishment shall be a term of imprisonment and fine not less than RO 500 and not exceeding RO 5,000, if the weapon or the main parts are among those listed in schedules 2 and 3.

The punishment shall be a term of imprisonment not exceeding one year and/or a fine not exceeding RO 1,000, if any of the instruments listed in the second paragraph of article 3 of this Law are involved. None of these penalties shall apply to traditional weapons listed in article 4 of this Law.

Article 24

Any other violation of the provisions of this Law, or its implementing regulations, shall be punishable by a term of imprisonment not exceeding six months and/or a fine not exceeding RO 300.

Article 25

Anyone firing shots, setting off fireworks, firing missiles, or causing a blaze or explosions in or around an inhabited area, on a public road or in its direction, without permission from the police, shall be sentenced to a fine not exceeding RO 200.

If such acts are committed at a gathering or celebration, the punishment shall be a term of imprisonment not exceeding three months or a fine not exceeding RO 300.

Article 26

In addition to the penalties provided for, all the arms and ammunition involved in the crime shall be confiscated in all circumstances.

Chapter 4
General, Concluding and Transitional Provisions

Article 27

All documents, applications, licences, instruments and registers required for the implementation of this Law and the relevant procedures shall be subject to the terms and conditions established by the Inspector-General of Police and Customs.

Article 28

Anyone issued a licence to possess, export, import, repair or trade in arms and ammunition must keep them safe and take reasonable precautions to prevent them from being lost, stolen or obtained, at any time, by a person not legally authorized to possess them.

He must inform the nearest police station immediately if these arms are lost, stolen or destroyed. He must show the licence, arms and ammunition to the police upon request.

Article 29

Anyone issued a licence to possess, import, export or trade in arms and ammunition must observe the following rules:

(1) While in possession of a firearm, he must not act in a way contrary to law and order;

(2) He must not fire a weapon in inhabited places or places prepared for habitation;

(3) He must inform the police authority with which the licence is registered of any change in his address or in any data recorded on the licence.

Article 30

The Inspector-General of Police and Customs may take action to:

(1) Set fees for the issuance and renewal of all types of licence in coordination with the Ministry of Finance and Economic Affairs;

(2) Regulate the import of and trade in shotguns and the respective ammunition in coordination with the Ministry of Commerce and Industry;

(3) Issue regulations to put the provisions of this Law into effect.

Article 31

Without prejudice to article 4 of this Law, a person possessing, without a licence, firearms, ammunition or instruments used in any of the said arms, as well as cold steel, shall not be punished if he hands them over to the police authority in whose jurisdiction he resides, within six months from the date this Law comes into effect, in order to have them licensed in accordance with this Law.

Article 32

All persons who were licensed to possess, trade in or repair arms and ammunition before the entry into force of this Law must submit to the Inspector-General of Police and Customs, within one month from the date this Law enters into force, an application for registration, together with all necessary documents.

Article 33

The Inspector-General of Police and Customs may delegate some of his powers and functions prescribed in this Law to one of his deputies or any other official in the Royal Omani Police, except in cases where the provisions indicate that the functions are limited to the Inspector-General of Police and Customs himself.

Schedule 1
Cold Steel

This term designates the following, with the exception of items considered as being part of Omani traditional attire:

Bayonets;

Daggers and swords (except traditional Omani daggers and swords);

Spears and spear heads;

Iron maces;

Brass knuckles;

Double-edged, single-edged and half-edged knives;

Any instrument determined by a decision of the Inspector-General of Police and Customs to be cold steel.

Schedule 2

1. Smooth-bore firearms (not grooved).
2. Grooved-bore pistols and rifles.

Schedule 3

1. Automatic rifles and pistols.
2. Cannons, heavy and light machine-guns.

Appendix II

[Original: Arabic]

Royal Decree No. 48/96 introducing an amendment to the Weapons and Ammunition Law

We, Qaboos Bin Said, Sultan of Oman,

Having perused Royal Decree No. 26/75 promulgating the Law regulating the Administrative Apparatus of the State, and the amendments thereto,

And Royal Decree No. 36/90 promulgating the Weapons and Ammunition Law,

And as dictated by the public interest,

Have decreed as follows:

Article 1

The amendments annexed hereto shall apply to the aforementioned Weapons and Ammunition Law.

Article 2

This Decree shall be published in the Official Gazette and shall enter into force on the date of publication.

Qaboos **Bin Said**
Sultan of Oman

Done on 21 Muharram A.H. 1417 (8 June A.D. 1996)

Amendments to the Weapons and Ammunition Law

1. The following articles of the Weapons and Ammunition Law, issued by Royal Decree No. 26/90, shall be amended as follows:

Article 1, item 1, last paragraph:

Whenever the term "arms" is used in this Law, it means cold steel, firearms, ammunition and main parts, unless otherwise implied by the context.

Article 1, item 2:

"Firearms" means lethal weapons fitted with a barrel of whatever kind from which a bullet or a projectile may be fired, in particular smooth-bore or grooved-bore weapons and automatic weapons listed in schedules 2 and 3 annexed to this Law, sub-machine-guns, cannons, machine-guns and their ammunition and main parts, unless otherwise implied by the context.

Article 3:

Possession of the weapons listed in schedules 1, 2 and 3 annexed hereto, without permission from the Inspector-General of Police and Customs or any other official acting on his behalf, shall be prohibited.

The Inspector-General of Police and Customs may, at his discretion, amend the aforementioned schedules by adding to or deleting from them.

Possession of or licence to possess the following may not be authorized under any circumstances:

(a) Sub-machine-guns, cannons and heavy and light machine-guns;

(b) Silencers and telescopic sights which are affixed to firearms.

Article 4:

Any weapons kept as heirlooms or internal decorations, as determined by a decision of the Inspector-General of Police and Customs, shall be exempted from the licensing provisions referred to in the preceding article.

Article 5:

Subject to the provisions of article 3 of this Law, and in accordance with procedures determined by the Inspector-General, a licence may be issued for the possession of firearms listed in schedules 2 and 3, provided that no person is licensed to possess more than three pieces. The following conditions must also be met:

(a) *Conditions for obtaining a licence for the arms listed in schedule 2*

1. The applicant must be of Omani nationality;

2. He must be at least 25 years old;

3. He must be free from any mental or psychological illness, and, in applying for a licence, must submit a certificate to that effect from a government medical doctor, if necessary.

(b) *Conditions for obtaining a licence for the arms listed in schedule 3*

1. The applicant must be of Omani nationality;
2. He must be at least 25 years old;
3. He must be physically fit enough to carry a weapon. Conditions of physical fitness and how to prove it shall be determined by the Inspector-General of Police and Customs, in coordination with the Minister of Health;
4. He must pass an examination in security precautions and how to handle arms, the terms and subjects of which examination shall be determined by the Inspector-General of Police and Customs;
5. He must be of good character and conduct;
6. He must not have been convicted of a crime or a misdemeanour in which he used or was carrying a weapon;
7. He must not have been convicted of a crime against State security, as defined in the Omani Penal Code.

Article 8, second paragraph:

In the event of a licence being revoked, the owner of the weapon may transfer it to another person who holds a licence to possess or trade in firearms. This must be done within one month from the date on which he was notified of the decision to revoke the licence, unless the decision stated that the weapon should be handed over immediately to the police authority with which the licence is registered.

Article 8, third paragraph:

In this case, the owner of the weapon must dispose of it within one year from the date on which he was informed of the decision to revoke the licence. Unless he disposes of it during this period, he shall be deemed to have assigned it to the State. The ownership of such weapons shall be transferred to the Royal Omani Police, with compensation being paid to the owner. The amount of compensation shall be determined in accordance with the rules, terms and conditions laid down by the Inspector-General.

Article 9 (d):

The President and Vice-Presidents of the Consultative Council.

Article 11, last paragraph:

If it is not disposed of during this period, he shall be deemed to have assigned its ownership to the State. The ownership of such weapons shall be transferred to the Royal Omani Police, with compensation being paid to the owner.

The compensation shall be determined in accordance with the rules, terms and conditions laid down by the Inspector-General.

Article 13:

The import and export of, or entry into or departure from the Sultanate with, the weapons listed in schedules 1 and 2 and paragraphs (a) and (b) of schedule 3, annexed to this Law, without permission from the Inspector-General of Police and Customs, shall be prohibited.

A licence shall be valid for three months from the date of issue, and shall be renewable for a similar period.

No licence may be issued under any circumstances for the import or export of, or for entry into or departure from the Sultanate with, the weapons listed in paragraph (c) of aforementioned schedule 3.

Article 14:

Without prejudice to the last paragraph of the preceding article, repair of or trade in cold steel, firearms and ammunition listed in schedules 1, 2 and 3 annexed to this Law, without permission from the Inspector-General of Police and Customs, shall be prohibited. Such a licence shall be valid for two years from the date of issue, and shall be renewable for a similar period, provided that an application for renewal is filed at least two months before the expiry date.

The Inspector-General shall determine, at his discretion, the conditions to be met by shops trading in or repairing weapons, and the quantity of weapons and ammunition listed in schedules 2 and 3 allowed to a trader each year.

Article 20:

Anyone possessing, without a licence, any of the arms listed in schedule 3 annexed to this Law, or any of their main parts or ammunition, shall be sentenced to a term of imprisonment not exceeding three years and/or a fine not exceeding RO 1,000.

Article 21:

Anyone possessing any of the arms listed in paragraph (a) of article 3 of this Law shall be sentenced to a term of imprisonment of not less than five years and not more than 15 years.

Article 22:

Anyone possessing any of the instruments listed in paragraph (b) of article 3 of this Law shall be sentenced to a term of imprisonment not exceeding one year and/or a fine not exceeding RO 500.

The same punishment shall be imposed on anyone possessing any of the arms listed in schedule 2 annexed to this Law, or any of their main parts or ammunition.

Article 23:

(a) Anyone trading in, importing, exporting or repairing without a licence, any of the arms listed in schedule 1, or any of the instruments listed in paragraph (b) of article 3 of this Law, shall be sentenced to a term of imprisonment not exceeding one year and/or a fine not exceeding RO 1,000.

(b) Anyone who, without a licence, trades in, imports, exports or repairs any of the arms listed in schedule 2 of this Law shall be sentenced to a term of imprisonment of not less than one year and not more than three years and/or a fine not exceeding RO 1,000.

(c) Anyone who, without a licence, trades in, imports, or repairs any of the arms listed in schedule 3 annexed to this Law shall be sentenced to a term of imprisonment of not less than one year and not more than three years and/or a fine of not less than RO 300 and not more than RO 1,000.

(d) Anyone who, without a licence, trades in, imports, exports or repairs any of the arms listed in paragraph (a) of article 3 of this Law, or any of their main parts or ammunition, shall be sentenced to a term of imprisonment of not less than five years and not more than 15 years and/or a fine of not less than RO 500 and not more than RO 5,000.

Article 25, paragraph 1:

Anyone firing bullets for reasons other than to seek help, setting off fireworks, firing missiles or causing a blaze or explosion in or around an inhabited area, on a public road or in its direction, without permission from the police, shall be sentenced to a fine not exceeding RO 200.

Article 33:

The Inspector-General of Police and Customs may delegate to any of his assistants or any other officials of the Royal Omani Police some of his powers and functions provided for in this Law, except in cases where the provisions indicate that the functions are limited to the Inspector-General of Police and Customs himself.

II. Three new paragraphs, number 3, 4 and 5, shall be added to article 1 of the Weapons and Ammunition Law promulgated by Royal Decree No. 36/90, as follows:

Paragraph 3:

"Cannon" means a weapon with very large projectiles which can cause serious damage.

Paragraph 4:

"Machine-gun" means a fast automatic firearm which can cause more serious damage than a pistol or a rifle.

Paragraph 5:

"Sub-machine-gun" means a fast automatic firearm that looks like a rifle.

Accordingly, the former paragraphs 3, 4 and 5 of article 1 shall be renumbered 6, 7 and 8 respectively.

III. A new article, to be numbered 26 *bis*, shall be added to the Weapons and Ammunition Law promulgated by Royal Decree No. 36/90. The new article shall read as follows:

Article 26 bis:

The Inspector-General or anyone acting on his behalf may decide not to institute proceedings in respect of crimes punishable under articles 19, 22, 24 and 25 in this chapter, if the offender paid a fine determined in accordance with the rules and categories established by a decision of the Inspector-General, provided that the amount of the fine does not, in any circumstances, exceed the maximum fine prescribed for the crime committed. He may also confiscate the weapon involved in the crime.

IV. Paragraph (5) of article 15 of the Weapons and Ammunition Law promulgated by Royal Decree No. 36/90 shall be deleted.

Schedule 1
Cold steel

(a) Bayonets

(b) Spears and spear heads

(c) Iron maces

(d) Brass knuckles

(e) Any instrument determined by a decision of the Inspector-General of Police and Customs to be cold steel

Schedule 2

Non-automatic traditional firearms which are available in Omani markets, such as Suma', Canad, Sektoon, Khumaisi and similar firearms using gunlocks.

Schedule 3

(a) Smooth-bore firearms (not grooved)

(b) Grooved-bore firearms (rifles and pistols)

(c) Automatic firearms (rifles and pistols)

Appendix III

[Original: Arabic]

Police Force of the Sultanate of Oman

Decision No. 22/98 on the implementing regulations for the Weapons and Ammunition Law

Pursuant to the Police Act issued by Royal Decree No. 35/90;

Pursuant to the Weapons and Ammunition Law promulgated by Royal Decree No. 36/90 and the amendments thereto;

And as dictated by the public interest;

It is decided that:

1. The provisions of the attached implementing regulations for the Weapons and Ammunition Law shall enter into force;

2. Any provision that contradicts or is in conflict with this decision shall cease to have effect;

3. The present decision shall be published in the Official Gazette and shall enter into force on the date of its publication.

Lieutenant-General Hilal Khalid **Al Mauli**
Inspector-General of Police and Customs

Done on 11 Dhul Qa'ada A.H. 1418 (10 March A.D. 1998)

Implementing regulations for the Weapons and Ammunition Law

Introductory section

General provisions

Regulation 1

In the implementation of the provisions of these regulations, the following words and expressions shall have the meanings indicated, unless otherwise stated or implied by the context.

"Law" means the Weapons and Ammunition Law.

"Inspector-General" means the Inspector-General of Police and Customs.

"Director-General" means the Director-General of Inquiries and Criminal Investigations.

"Commander" means the Regional/Area Police Commander or his assistant, or the commanding officer of the unit in whose jurisdiction the applicant for a licence resides.

"Command" means the Regional/Area Police Command in whose jurisdiction the applicant for a licence resides.

"Director" means the Licensing Director at the Directorate-General for Inquiries and Criminal Investigations.

"Directorate" means the Licensing Directorate at the Directorate-General for Inquiries and Criminal Investigations.

"Division" means the Licensing Division at the Department of Inquiries and Criminal Investigations at Police Headquarters.

"Committee" means the committee provided for in regulation 15.

Regulation 2

The provisions of these regulations shall apply to the possession, import, export, transport, repair and trade in arms and ammunition.

Chapter one
Licences for the possession of arms and ammunition

I. Licences for individuals

Regulation 3

Applications for a licence to possess cold steel and firearms listed in schedules 1 and 2 of the Law shall be made to the Commander on the specified application form and submitted with the following:

1. Copy of an identification card;
2. Certificate from a government medical doctor stating that the applicant is physically fit to possess and use firearms;
3. Three passport-size photographs (6 x 4 cm).

Applications for a licence to possess firearms listed in schedule 3 of the Law shall include the following:

1. Copy of an identification card;
2. Certificate from a government medical doctor stating that the applicant is free from mental or psychological illness, and that he is physically fit to possess and use firearms;
3. Certification that the applicant has passed the prescribed examination on security precautions and the handling of weapons;
4. Three passport-size photographs (4 x 6 cm).

II. Licences for clubs and organizations

Regulation 4

Applications for a licence to possess and use arms shall be made to the Commander on the prescribed form and shall be submitted with the following:

1. Copy of the decision or licence to establish the club or organization;

2. Names and addresses of the director and instructor at the club or organization;

3. Name and other data concerning the club's warehouseman, provided that such person is conversant with the handling of firearms;

4. Certificate from the competent committee that the conditions for storage of arms and ammunition in the club are fulfilled;

5. A detailed list of arms and ammunition, their specifications, numbers and manufacturers;

6. Undertaking from the director and the warehouseman of the club or organization that the weapons will be used in accordance with the prescribed terms and conditions.

III. Procedures governing issuance of licences for the possession of arms and ammunition

Regulation 5

The procedures governing the issuance by the Division of licences for the possession of the arms listed in schedules 1 and 2 annexed to the Law shall be as follows:

1. Receipt of the application for a licence, and verification that it contains the required data on the prescribed form;

2. Receipt of the weapon for which the licence is sought against a receipt given to the applicant;

3. Referral of the application for a licence to the Commander along with a recommendation to issue or deny the licence. Reasons should be stated in cases of denial.

Regulation 6

The procedures governing the issuance by the Division in coordination with the Directorate, of licences for the arms listed in schedule 3 annexed to the Law shall be as follows:

1. Receipt of the application for a licence and verification that it contains the required data on the prescribed form;

2. Receipt of the firearm for which the licence is sought (together with four rounds of ammunition so that technical checks may be conducted) against a receipt given to the applicant;

3. Evaluation of whether it is appropriate or not to issue a licence to an applicant on the basis of his character and conduct in his governorate/region;

4. Referral of the application along with the firearm and its ammunition to the Directorate with a view to:

   (a) Preliminary measures for the issue of a licence;

   (b) Submission of the application to the Director-General for forwarding to the Inspector-General, with a recommendation for the issuance or denial of the licence, stating the reasons in the case of denial;

5. The licence shall be issued by the Division and it shall contain the data indicated in regulation 8.

Regulation 7

Without prejudice to the provisions of regulations 6 and 7, the licence shall be issued on the prescribed form and include the following:

1. The full name (first, middle and family), tribe, age, occupation and permanent address of the licensee, in the case of an individual; or in the case of a club or organization, the name, number of the licence for its establishment and its permanent address;
2. Description of and data on the firearm;
3. Number of ammunition rounds allowed;
4. Purpose of possession.

The licence shall be valid for five years from the date of issue, and shall be renewable for a similar period, provided that an application for renewal is filed with the Division on the prescribed form at least two months before the expiry of the licence.

Regulation 8

Licences for the possession of firearms may be issued for a maximum of three weapons of all kinds and a maximum of 100 rounds of ammunition for each licensed weapon.

Regulation 9

If an application for a licence is rejected, the weapon shall be kept at the police station and the applicant shall be advised in writing. He shall be granted not more than one year to transfer the weapon to a person who meets the qualifications for the possession of this type of weapon.

Regulation 10

Weapons kept as heirlooms or as decorations in homes, whether imported or manufactured in the Sultanate, shall be exempted from the licensing provisions, if they have one or more of the following characteristics:

1. If they have been used in a historic battle;
2. If they are old, hand-made weapons which have been discontinued;
3. If they are a gift from royalty received on a national occasion;
4. If they have artistic or historical value;
5. If they have been previously denied a licence on grounds of being technically unfit for use. Each one of such weapons shall be free of any component capable of making it usable. This shall be verified by the competent Directorate Division.

Chapter two

Licences for trading in, repairing, importing, exporting and transporting arms and ammunition

I. Trading in and repairing arms and ammunition

Regulation 11

Applications for licensing of businesses trading in and repairing arms and ammunition shall be made to the Directorate on the prescribed application forms together with the following supporting documents:

1. For the individual applicant:
   (a) Copy of identification card;
   (b) Certification that the applicant has passed the prescribed examination in security precautions and the handling of firearms;
   (c) Certificate from a government medical doctor stating that the applicant is free from any mental or psychological illness and that he is physically fit to possess and use firearms;
2. For the business:
   (a) Copy of the title deed for the premises, or copy of the lease, if the premises are leased;
   (b) Architectural plan of the premises, giving the location, description and internal dimensions, and indicating the adjoining streets and squares;
   (c) Copy of the registration in the Commercial Register, indicating the business activity of trading in and repairing arms and ammunition.

Regulation 12

The premises of a business trading in or repairing arms and ammunition shall be built in such a way as to make it a strong room for the storage of firearms and ammunition and to ensure the safety of persons and neighbouring buildings. The internal design of the warehouse shall allow for the arrangement of firearms and ammunition on custom-built shelves, far from sources of heat or inflammable substances. The premises shall have in particular the following:

1. A strong room suitable for the storage of firearms and ammunition;
2. Fire-extinguishing equipment in working condition;
3. Security devices to sound the alarm when necessary.

Regulation 13

The procedures for the issuance of licences for trading in and repairing firearms and ammunition shall be as follows:

1. The Directorate shall ascertain that all documents concerning the application for a licence are in order, and shall refer the application to the Committee for examination in conformity with regulation 16. It shall present its findings to the Director-General;

2. The Director-General shall submit to the Inspector-General applications for licences to trade in and repair weapons and ammunition, together with his recommendation for issuance or denial;

3. The Directorate shall take all necessary measures to issue licences to those whose applications are approved, and to collect the prescribed fees.

Regulation 14

A committee shall be constituted under the chairmanship of the Director with the following as members:

An officer from the police command in the respective governorate/region;

An officer from the Directorate-General of Civil Defence;

An officer from the Security Consultation Directorate in the Directorate-General of Operations.

Regulation 15

The Committee shall be responsible for vetting and checking applications for the licensing of businesses trading in or repairing firearms, and for ensuring that the premises meet the conditions stipulated in regulation 13. The Committee may grant an applicant for a licence a delay to meet the requirements. The Committee shall submit to the Director-General its recommendation to issue or deny a licence.

Regulation 16

Licences to trade in and repair arms and ammunition are personal. When there are multiple applicants for one licence, each applicant must meet the conditions for issuance, but the licence shall bear the name of the person responsible for the management of the business.

Regulation 17

A person granted a licence may employ in the business as many workers as approved by the Directorate, if the workers meet the requirements set forth in article 5 (b) of the Law.

Technicians shall be exempted from the nationality condition.

Regulation 18

Except for cold steel, the maximum number of weapons allowed to be kept in an arms and ammunition store is 100 pieces of the different kinds it is permitted to deal in. The maximum quantity of ammunition allowed to be kept therein is 10,000 rounds of each calibre.

Regulation 19

It is prohibited for a person granted a licence to trade in and repair arms and ammunition to make any changes, after the granting of the licence, to the internal design of the business premises or the warehouse attached thereto, except with the approval of the Directorate.

Regulation 20

Licences granted for shops to trade in and repair arms and ammunition shall be valid for two years from the date of issue, and they may be renewed for a similar period provided that an application for renewal is made at least two months before the expiry of the licence.

The application for the renewal of a licence shall be filed with the Division on the prescribed application form, with a statement from the licensee that the conditions for the issuance of the licence still exist. The application for renewal shall be referred to the Directorate for action to renew the licence upon approval by the Director-General.

Regulation 21

A licence shall be revoked in the circumstances provided for in article 18 of the Law. The Commander must take the necessary measures to close the shop after an inventory of its contents has been made and the Directorate has been notified.

II. Regularization of the status of current arms merchants and repairers

Regulation 22

Arms and ammunition merchants and repairers in business at the time these regulations come into effect must regularize their status in accordance with these provisions, within six months of their entry into force. Applications for licences shall be filed with the Directorate on the prescribed application forms together with the following supporting documents:

1. Copy of the identification card;
2. Copy of the registration in the Commercial Register, indicating the activity of trading in and repairing arms and ammunition;
3. An architectural plan of the premises;
4. A list of the arms and ammunition in the shop, and their specifications.

The procedures detailed in regulation 13 shall be applied with regard to the applic...

III. Import and export of weapons and ammunition

Regulation 23

Applications for licences to import and export arms and ammunition shall be filed with the Directorate on the prescribed application forms and shall be supported by the documents indicated in regulation 12 (1) if the applicant owns a business that trades in or repairs arms and ammunition, it shall be sufficient for him to submit a copy of the business licence, together with a list of the arms and ammunition in the shop.

Regulation 24

In the issuance of licences to import or export arms and ammunition, the Directorate shall:

1. Ensure that all documents relating to the licence application are duly completed;

2. Submit the application, together with a recommendation, to the Director-General, who will in turn submit it to the Inspector-General with his recommendation for approval or denial;

3. Complete procedures for the issuance of licences to those whose applications have been approved, and collect the prescribed fees.

Regulation 25

Licences to import or export arms and ammunition shall be valid for three months from the date of issue. They may be renewed for a similar period, provided that the application for renewal is made on the prescribed application form at least one week before the expiry of the licence.

IV. Licences for transportation of arms and ammunition

Regulation 26

Applications for licences to transport arms and ammunition shall be made on the prescribed application forms together with the following supporting documents:

1. Data on the vehicle's driver;

2. A copy of the licence to import, export, trade in or repair arms and ammunition;

3. A statement indicating the specifications of the arms and ammunition to be transported;

4. A certificate from the Security Consultation Directorate in the Directorate-General of Operations stating that the vehicle is suitable for transporting arms and ammunition, and indicating the date, time, route, starting point and destination;

5. Data on the consignee and a copy of his identification card, import or export licence, or licence to trade in or repair arms and ammunition, if the consignee is other than the applicant.

Regulation 27

A licence to transport arms shall be issued by the Directorate upon completion of the documents mentioned in regulation 26 and upon approval by the Director-General. The licence to transport arms and ammunition shall be personal.

Regulation 28

A licence to trade in, import, export or transport arms and ammunition shall be issued on the prescribed form, giving detailed information about the licensee, the specifications of the arms and the number of ammunition rounds.

Chapter Three
Concluding provisions

Regulation 29

Competent police officers may enter the premises of businesses trading in and repairing arms and ammunition, for inspection and verification of information entered in the records, in order to ascertain that the records are accurate and to verify that the quantity of arms and ammunition on the premises is identical to the quantity on record. The manager of the business and the workers must give the necessary assistance to the police officers to enable them to discharge their duties as mentioned above.

Regulation 30

Determination of the compensation provided for in articles 8 and 11 of the Law shall be made upon the submission of an application to the Division Directorate, by the owner of the weapon or, in the event of his death, by any of his heirs.

Regulation 31

The Compensation Committee shall consist of three officers as follows:

(a) An officer not lower than the rank of captain from the Directorate of Equipment and Supplies (Chairman);

(b) An officer from the Directorate-General of Inquiries and Criminal Investigation (Member);

(c) An officer from the Directorate-General for Financial Affairs (Member).

The Committee shall be concerned with the determination of the amount of compensation to be paid to owners of weapons or their heirs in one of the situations indicated in articles 8 and 11 of the Law.

When determining the amount of compensation, the Committee shall take into consideration the price of the weapon on the local market, the condition of the weapon and its manufacturer's price. The amount of compensation shall not exceed one half of the market value of the weapon.

The determination by the Committee of the amount of compensation shall be final.

Regulation 32

Fees for issuance and renewal of licences shall be determined in accordance with annex I below.

Regulation 33

1. The following registers shall be established in the Directorate:

(a) A register of applications for the issuance and renewal of licences to possess firearms listed in schedule 3 of the Law;

(b) A register of applications for the issuance and renewal of licences to import or export arms and ammunition;

(c) A register of applications for the issuance and renewal of licences to trade in and repair arms and ammunition;

(d) A register of applications for the issuance and renewal of licences to transport arms and ammunition;

(e) A register of notices and certificates issued pursuant to article 9 of the Law.

2. The following registers shall be established in the Division:

(a) A register of applications for the issuance of licences for cold steel;

(b) A register of applications for the issuance and renewal of licences to possess firearms and ammunition listed in schedule 2 of the Law;

(c) A register of applications for the issuance and renewal of licences to possess firearms listed in schedule 3 of the Law;

(d) A register of applications for the issuance and renewal of licences for businesses trading in and repairing arms and ammunition;

Regulation 34

The manager of a business trading in and repairing arms and ammunition shall keep two registers: one, to record the arms and ammunition received, with their detailed specifications; and the other to record the arms and ammunition that have been disposed of or repaired, on the respective forms provided by the Directorate.

Regulation 35

A person licensed to transport arms and ammunition shall refrain from smoking in the vehicle transporting the arms and within 10 metres from it, and shall keep to the approved route, date and time of transportation.

Regulation 36

Upon approval by the Director-General, the Directorate shall receive applications for notices and issue certificates to the persons mentioned in article 9 of the Law, who are exempted from obtaining licences to possess arms.

Regulation 37

Businesses trading in and repairing arms and ammunition may not buy, sell or repair the arms listed in schedules 1, 2 and 3 annexed to the Law until they have ascertained the legality of the applicant's possession of the arms in question.

Regulation 38

A person granted a licence to possess, import, export, transport, trade in or repair arms and ammunition must:

1. Take adequate precautions to keep the firearms in a safe place and store ammunition away from any inflammable materials;

2. Take the necessary precautions to prevent the loss or misappropriation of arms or ammunition;

3. Report to the nearest police station the loss, theft or damage of any arms or ammunition.

Regulation 39

It is prohibited to carry a weapon visibly in public places. The carrying of traditional weapons is exempted when there is justification. The Director-General may establish necessary controls to regulate the carrying of traditional weapons openly.

Regulation 40

In applying the provisions of article 26 *bis*, of the Law, the Director-General and the competent commander may, upon appeal by an offender, decide to discontinue a prosecution if the offender agrees to pay the prescribed fine in settlement of the violation in question, as indicated in annex 2 below.

Annex 1

Schedule of fees for the issuance and renewal of licences

Type of licence	*Prescribed fees*
1. Issuance and renewal of licences to possess arms	
(a) Cold steel	RO 1 per unit
(b) Traditional weapons listed in table B	RO 1 per unit
(c) Firearms listed in schedule 3	RO 10 per unit
2. Issuance and renewal of licences to import, export or transport arms or ammunition	
(a) Cold steel	RO 1 per unit
(b) Firearms (rifles)	RO 3 per unit
(c) Firearms (pistols)	RO 5 per unit
(d) Ammunition	RO 1 per 50 rounds
3. Issuance and renewal of licences to businesses trading in and repairing arms and ammunition	
(a) Cold steel	RO 50
(b) Firearms	RO 100

Annex 2

Schedule of fines in cases of settlement

Violations	*Fines in rials Omani*	
	From	*To*
Category I		
Possession without licence		
1. Possession of cold steel	20	40
2. Possession of telescopic sights	30	50
3. Possession of up to 50 rounds of ammunition without licence	30	50
4. Possession of parts of the arms mentioned above	30	50
5. Possession of silencers	50	75
6. Possession of 50-100 rounds of ammunition	50	75
7. Possession of one of the firearms listed in schedule 2	50	100
Category II		
Various kinds of violations		
1. Giving a weapon to another person	20	50
2. Failure to renew a licence to possess a weapon:		
(a) Individuals	20	50
(b) Clubs	75	100
3. (a) Failure by a dealer to record arms and ammunition in the register	50	75
(b) Employment of a worker in a store without the Directorate's approval	50	75
4. Failure to take adequate precautions for the safekeeping of arms and ammunition in the store	50	75
5. Effecting any changes in the main parts of a licensed weapon without the Directorate's approval	50	75
6. Any modification or changes in the premises used for trading in and repairing arms and ammunition, without prior approval by the Directorate	75	100
7. Failure to report the loss, theft or damage of arms or ammunition	75	150
8. Possession of firearms or ammunition in excess of the maximum allowed	75	100
9. Failure to renew licences to trade in and repair arms and ammunition	100	150
10. Failure to keep registers for weapons received and weapons sold by the business	100	150
Category III		
Firing of projectiles in situations other than those permitted by law		
1. Firing projectiles in an uninhabited place	50	75
2. Firing projectiles in public places or during celebrations	75	100